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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,230

09/25/2003

Thomas Gauweiler

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KENYON & KENYON LLP  
1500 K STREET N.W.  
WASHINGTON, DC 20005

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/672,230	<b>Applicant(s)</b> GAUWEILER, THOMAS	
	<b>Examiner</b> Etienne P. LeRoux	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-15, 17, 18, 20 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-15, 17, 18, 20 and 22-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Claim Status***

Claims 1-3, 7-15, 17, 18, 20 and 22-27 are pending. Claims 4-6, 16, 19 and 21 have been cancelled.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-3 and 7-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites a plurality of instances of “first file” which is not included in the specification.

Claim 1 recites a plurality instances of “second file” which is not included in the specification.

Claim 1 includes “(a) creating in a design environment a first file including metadata that describes how data in the first file is to presented” is not included in the specification.

Claim 1 recites “(i) based on the result of comparison mapping a binary structure converted from the currently loaded second file” is not included in the specification

Claim 1 recites “(j) reading the mapped binary structure by the computer application running on the mobile device

Claim 1 recites “(k) presenting on the mobile device, data associated with the second file according to the metadata of the second file according to the read binary structure.”

Claims 2, 3 and 7-14 are rejected for, at least, being dependent from a rejected base claim.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-3 and 7-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “(j) reading the mapped binary structure.” The limitation is indefinite because “mapping a binary structure converted from the currently loaded second file” is indefinite because “second file” is not in the specification.

Claim 1 recites “(k) presenting on the mobile device, data associated with the second file according to the metadata of the second file according to the read binary structure.” The “read binary structure” is indefinite because “the mapped binary structure is indefinite because “mapping a binary structure converted from the currently loaded second file” is indefinite because “second file” is not in the specification.

Claim 1 recites “(i) based on the result comparison, mapping a binary structure.” The limitation is indefinite because it is unclear what result was obtained.

Claim 1 recites “(j) reading the mapped binary structure by the computer application running on the mobile device

Claim 1 recites “(k) presenting on the mobile device, data associated with the second file according to the metadata of the second file according to the read binary structure.”

Claims 2, 3 and 7-14 are rejected for, at least, being dependent from a rejected base claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 15, 20, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 7,072,672 (Vanska et al), hereafter Vanska in view of Pub No US 2004/0003013 (Coulthard et al), hereafter Coulthard.

Regarding claim 1, 15, 20, 26, 27, Vanska discloses:

(a) creating in a design environment a first file that [including] includes metadata that describes how data in the first file is to be presented

#### Examiner Notes:

(1) metadata = user profile, user calendar, user intentions, col 4, lines 10-25

(2) design environment = mini applications downloaded from one or more service providers, col 7, lines 5-10

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(3) design environment ceases during run-time environment i.e., mini application stores trigger conditions which causes processing, col 7, lines 1-20

(b) communicating the first file to a mobile device;

(c) storing the first file in a memory on the mobile device;

(d) converting the first file into a binary structure at an initial run of a computer application running on the mobile device, the binary structure adapted to be read by the computer application; and

(e) recording the binary structure in the memory of the mobile device;

[Vanska, col 10, lines 40-50, Deletion of a disposable mini-application also may occur in response to housekeeping means 206 determining that the mini-application is obsolete, as may be determined upon downloading a more recent version of the application than that currently stored in mobile terminal 100]

Vanska discloses the elements of the claimed invention as noted above but does not disclose (f) storing a datestamp and a filesize in the memory with the binary structure, the datestamp and the filesize uniquely identifying the first file corresponding to the binary structure. Coulthard discloses (f) storing a datestamp and a filesize in the memory with the binary structure, the datestamp and the filesize uniquely identifying the first file corresponding to the binary structure [Coulthard, paragraphs 11 and 12]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vanska to include above limitation as taught by Coulthard for the purpose of identifying a file especially by creation date/modification date [Coulthard, paragraph 11]

(g) loading a second file into the memory of the mobile device, the second file having a datestamp, filesize and metadata describing how data associated with the second file is to be presented;

[Vanska, col 10, lines 40-50, a more recent version of the application than that currently stored in mobile terminal 100, Coulthard, paragraph 11, 12]

(h) determining whether the first file has been updated upon a startup of the computer application on the mobile device by comparing a datestamp and a filesize of the currently loaded second file on the mobile device to the datestamp and the filesize, respectively, of the first file recorded with the binary structure [Coulthard, paragraphs 11 and 12]

(i) based on the result of the comparison, mapping a binary structure, converted from the currently loaded second file, by the computer application into the memory of the mobile device; [Vanska, col 10, lines 40-50, a more recent version of the application than that currently stored in mobile terminal 100, Coulthard paragraph 11, pointers between blocks of memory]

(j) reading the mapped binary structure by the computer application running on the mobile device [Vanska, col 2, lines 20-30, executable software]

(k) presenting on the mobile device, data associated with the second file according to the metadata of the second file according to the read binary structure.

[Vanska, col 2, lines 15-20, provides user assistance while shopping]

Claims 2, 3, 7-14, 17 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Vanska and Coulthard and further in view of Pub No US 2002/0188761 (Chikirivao et al) hereafter Chikirivao.

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Regarding claim 2, the combination of Vanska and Coulthard discloses the elements of the claimed invention as noted above but does not disclose wherein the method is adapted to create a database access system. Chikirivao discloses wherein the method is adapted to create a database access system [Chikirivao, Fig 1, repository, 135]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include above limitation based on the teaching of Chikirivao for the purpose of creating a database that can be accessed by a plurality of users.

Regarding claim 3, 18, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein the first file is an XML file [Chikirivao, paragraph 22]

Regarding claim 7, 22 and 24 the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein, if the datestamp and the filesize of the file currently loaded second file on the mobile device correspond with the datestamp and the filesize of the first file recorded with the binary structure, then the first file and the ~~further~~ second file are identical and the first file has not been updated [Vanska, col 10, lines 40-50, Deletion of a disposable mini-application also may occur in response to housekeeping means 206 determining that the mini-application is obsolete, as may be determined upon downloading a more recent version of the application than that currently stored in mobile terminal 100]

Regarding claim 8, 23 and 25, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein if the datestamp and the filesize of the file currently loaded second file on the mobile device do not



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correspond with the timestamp and the filesize of the first file recorded with the binary structure when compared, then the first file and the ~~further~~ second file are not identical and the first file has been updated [Coulthard, paragraphs 11, 12 and Chikirivao paragraph 22]

Regarding claim 9, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses repeating operations (d) and (e) for the ~~further~~ second file [Coulthard, paragraph 12, Chikirivao paragraph 22]

Regarding claim 10, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses creating a new file to change the metadata; and repeating the operations of (b), (c), (d), and (e) for the new file [Coulthard, paragraph 12] .

Regarding claim 11, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein the metadata describes at least one of: actual data; at least one attribute for the at least one business object; at least one relationship between a plurality of business objects; and the at least one query [Coulthard abstract, paragraphs 9, 11 and 16] .

Regarding claim 12, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein the mobile device includes at least one of a laptop computer and a personal digital assistant [Chikirivao, paragraph 21]

Regarding claim 13, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses wherein the

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recording of the binary structure in the memory includes mapping the binary structure into an address space [Coulthard paragraph 11]

Regarding claim 14, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses mapping the binary structure for a subsequent run of the computer application until the first file is updated with a new file. [Vanska, col 10, lines 40-50, a more recent version of the application than that currently stored in mobile terminal 100, Coulthard paragraph 11, pointers between blocks of memory]

Regarding claim 17, the combination of Vanska, Coulthard and Chikirivao discloses the elements of the claimed invention as noted above and furthermore discloses reading the binary file converted from the first file at a second running of the computer application if the first file has not been updated [Vanska, col 10, lines 40-65]

### ***Response to Arguments***

Applicant's arguments filed 2/25/2008 have been considered but are moot in view of the new ground(s) of rejection necessitated by applicant's most recent claim amendments.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Etienne P LeRoux/  
Primary Examiner, Art Unit 2161

6/2/2008